IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION. 26 OF 2006

Chavan Ajay Raghu & ors .... Applicants

versus

The State of Maharashtra & ors. ... Respondents.

Shri U. R. Warunjikar for the appellant.

Shri Rajesh More APP for State.

CORAM; V.M. KANADE, J.

DATED; JANUARY 27, 2006.

P.C:

1. Heard the learned counsel for the applicant and the learned APP for the State.

2. The applicant is arrested in connection with an offence punishable under section 394 of IPC which is registered at Kothrud police station vid C.R.No. 65 of 2005. It is allged that the applicant along with two others have gone to the house of the complainant pretending to be courier boys and after the door was opened by the complainant, the applicant and the other two accused assaulted the complainant with sickle as a result of which the complainant received injury on the thumb and thereafter all the three ran away. According to the complainant, the present applicant was holding full-scape paper in his hand and he was identified in the test identification parade. It is an admitted position that there are no criminal antecedents so far

as the present applicant is concerned. The investigation has been completed, the charge sheet is also filed. The applicant is in jail since 22-9-2005. Since the investigation has been completed and the only role attributed to the applicant is that he was holding the full scape paper in his hand and also considering the fact that he is a young boy of 21 years of age without any criminal antecedents, the applicant is entitled to be releeased on bail.

3. The applicant be released on bail in the sum of Rs. 5000/- with one or two sureties in the like amount.

4. The applicant however shall report to the Kothrud police station twice in a month.

5. The application is disposd of in the above terms.

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